

<b>Title of meeting:</b>	Governance and Audit and Standards Committee
<b>Date of meeting:</b>	3 March 2020
<b>Subject:</b>	Employees' Code of Conduct - Personal use of social media
<b>Report by:</b>	Peter Baulf
<b>Wards affected:</b>	None
<b>Key decision:</b>	No
<b>Full Council decision:</b>	Yes

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**1. Purpose of report**

The purpose of the report is for the Committee to consider the proposed wording for part 4C of the Portsmouth City Council constitution - the Employees' Code of Conduct and decide what recommendation goes forward to Full Council.

**2. Recommendations**

It is recommended that the committee;

- i Notes the importance of informing an employee about personal use of social media.
- ii Supports the wording presented in Appendix A for inclusion in the Employees' Code of Conduct.
- iii Further to ii above, should the committee support the changes as presented, agree for the revisions to be recommended to Full Council.

**3. Background**

Social media is the term used for any online platform or app that allows parties to communicate instantly with each other or to share data in a public forum. Social media allows people to share information, ideas and views, however it can in some circumstances impact on communications amongst managers, employees or customers, can distort the boundaries between home and work and could impact on the reputation of an organisation.

Portsmouth City Council expects all employees to deal with one another, the public, clients and elected Councillors in a courteous and civil manner. The Council expects relationships and communication between work colleagues (including those between managers and team members) to be supportive, co-

operative and respectful. This expectation relates to all types of communication including for example verbal communication, written and online communication.

#### **4. Reasons for recommendations**

Due to changes in society and the modern workplace brought about by social media use, it is now considered good practice to clearly inform an employee of the expectations of the organisation with regards to personal use of social media.

The Council has already published guidance on the intranet on the use of social media for work purposes and has a policy prohibiting the use of social media on workplace technology, unless express permission for business purposes has been given. By publishing expectations about personal use of social media, employees will then be made aware of all the Council requirements relating to social media.

The proposed wording shown in Appendix A shows that the Council respects an employees' right to a private life, however, where they are identified as a Council employee, they are expected to behave appropriately and in line with Council policies. They must ensure that, in their use of social media and instant messaging systems, they do not make comments about other employees, customers, councillors or the Council that are or could be perceived to be derogatory, abusive, damaging to the individual's or the Council's reputation or amount to harassment, even where such comments are made outside working hours.

In addition, it highlights that as an employee cannot assume that their social media use will remain private, they can minimise the risk by specifically excluding any reference to the Council or their job role on their profiles, posts or in their commenting. If an employee chooses to identify as a Council employee on their personal social media accounts, they are responsible for any comments on their pages, including tags and there will be a requirement to abide by the conditions to be detailed in the Code of Conduct.

The information about personal use of social media is ideally positioned within the Employees' Code of Conduct, as the aim of the Code is to guide employees on their conduct inside of work and also outside of work where it has a bearing on their position within the Council.

It is proposed that only one section of the Code of Conduct will be changed and one new section will be added and therefore Appendix A provides an extract from the Employees' Code of Conduct showing the recommended changes. However, the full Employees' Code of Conduct is available on the PCC website and a link is provided on the background list of documents table below.

**5. Integrated impact assessment**

An integrated impact assessment has been completed and is shown at Appendix B.

The change in the Code of Conduct applies to all employees. No negative impact has been established on any protected characteristics.

**6. Legal implications**

The report outlines the basis for including the amendment. The suggested new appendix A reflects the common law position and would enable realistic control of behaviour via referral to relevant employee policies. Without inclusion should an issue arise the employer would be faced with a defence based upon what was the existing policy, hence the need for the requested amendment.

**7. Director of Finance's comments**

There are no financial implications arising from the recommendations of this report.

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 Signed by:

**Appendices:**

- Appendix A - Employees' Code of Conduct - Tracked extract
- Appendix B - Integrated Impact Assessment

**Background list of documents: Section 100D of the Local Government Act 1972**

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location
Employees' Code of Conduct	<a href="https://www.portsmouth.gov.uk/ext/documents-external/cou-part4c-employee-code-of-conduct.pdf">https://www.portsmouth.gov.uk/ext/documents-external/cou-part4c-employee-code-of-conduct.pdf</a>

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by ..... on .....

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 Signed by: